



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 001-15 2975 VALENCIA DRIVE MODIFICATIONS JANUARY 7, 2015

**APPLICATION OF TAI YEH, ARCHITECT FOR CHARLES GRANT KIMBELL,
2975 VALENCIA DRIVE, APN: 053-362-001, E-3 (ONE-FAMILY RESIDENCE) ZONE,
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 5 UNITS/ACRE)
(MST2014-00576)**

The 5,000 square foot corner lot is currently developed with a 920 square foot single-family residence and a detached 364 square foot two-car garage. The proposed project includes a 234 square foot one-story addition that will attach the dwelling to the garage and a new trellis over a deck.

The discretionary applications required for this project are:

1. Open Yard Modification of the location of the open yard area and/or to reduce the size of the required open yard area (SBMC § 28.15.060 and 28.92.110); and
2. Interior Setback Modification to allow the addition to encroach into the required six-foot interior setback to the east (SBMC § 28.18.060 and SBMC § 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 and 15305 (New Construction and Minor Alterations in Land Use Limitations).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 18, 2014.
2. Site Plans


NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the Open Yard Modification and the Interior Setback Modification making the following findings and determinations that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed addition is appropriate because of the small size of the E-3 lot, the location of the existing development on site, the two front yards and because the open yard area fulfills the intent of the requirement and will allow for a minor expansion of the small residence while maintaining the existing neighborhood character and the addition is not anticipated to adversely impact the adjacent neighbor.

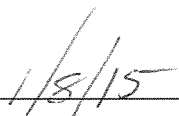
- II.** Said approval is subject to the following conditions:
- A.** The unpermitted fence and any landscaping that does not meet Public Works Department (PW) requirements shall be removed from the public right-of-way or an encroachment permit, subject to review and approval by the PW, shall be obtained to allow the work in the public right of way to remain. If the encroachment permit is not approved, said unpermitted fence and landscaping shall be removed from the public right-of-way.
 - B.** The hedges along and adjacent to the driveway shall be shown on the building plans to comply with the provisions of SBMC Section 28.87.170.
 - C.** The shed within the front setback along Vernal Ave shall be removed from the property.
 - D.** The violations outlined in ZIR2013-00084 shall be abated as part of this permit and shall be included in the Scope of Work.
 - E.** The gate across the driveway shall comply with SBMC Section 28.87.170 and is subject to review and approval by Transportation staff.
 - F.** The trampoline, miscellaneous wood, and stored items shall be removed from the required setbacks.
 - G.** The inoperable vehicle shall be removed from the property and the garage shall be accessible for the parking of two-vehicles at all times.
 - H.** The tarp attached to the garage and located in the required front setback shall be removed from the property.
 - I.** The new bathroom window shall be frosted to preserve the privacy of the adjacent neighbor.

This motion was passed and adopted on the 7th day of January, 2015 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Kathleen Gob, Staff Hearing Officer Secretary



Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
5. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.